

The Honorable Benjamin H. Settle

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA**

AMERICAN DELTA PARTY; and
ROQUE "ROCKY" DE LA FUENTE,

Plaintiffs,

v.

KIM WYMAN, in her official capacity as
the Secretary of State of the State of
Washington,

Defendant.

NO. 3:20-cv-05045-BHS

SUPPLEMENTAL
DECLARATION OF LORI
AUGINO IN SUPPORT OF
DEFENDANT'S MOTION FOR
SUMMARY JUDGMENT

I, Lori Augino, declare as follows:

1. I am over eighteen years of age and competent to testify. The information stated below is true and correct and based on my own knowledge.

2. I currently serve as the Director of Elections in the Office of the Secretary of State of Washington. My job entails ensuring Washington's elections are conducted in a transparent, accurate, consistent, and secure manner. This includes, among other duties, assisting county auditors with conducting elections, working on election-related policy for the Secretary of State, processing candidate filings, certifying certain candidates for the ballot, and certifying elections. I have held this position for 7 years.

3. In 2020, the Office of the Secretary of State received certificates of nomination from seven minor political parties. The Office of the Secretary of State checked each certificate and canvassed the signatures on the accompanying nominating petitions and determined that four of the seven submissions met the requirements of Wash. Rev. Code § 29A.56.640. As a

1 result, the candidates for President of the United States for the Green Party, the Libertarian Party,
 2 the Socialism and Liberation Party, and the Socialist Workers Party will appear on Washington's
 3 2020 General Election ballot.

4 4. In canvassing the signatures on the nominating petitions for the three remaining
 5 parties, the Office of the Secretary of State discovered a large number of "cross-over" signatures
 6 (i.e., signatures of registered voters that appear on more than one nominating petition). If the
 7 cross-over signatures were counted, each of these three minor parties had at least 1,000
 8 signatures. If the cross-over signatures were not counted, however, none of these three minor
 9 parties had at least 1,000 signatures.

10 5. Following an expedited legal proceeding in the Superior Court of the State of
 11 Washington for Thurston County, the cross-over signatures were rejected. A true and correct
 12 copy of the court order is attached as Exhibit A. As a result, the candidates for President of the
 13 United States for the Alliance Party, the American Solidarity Party, and the Constitution Party
 14 will not appear on Washington's 2020 General Election ballot. Mr. De La Fuente was the
 15 nominee of the Alliance Party.

16 6. These results were certified on August 31, 2020. As noted in my declaration
 17 supporting the motion for summary judgment, *see* ECF No. 31, county auditors needed the final
 18 content for ballots no later than August 31, 2020 in order to prepare and print general election
 19 ballots and meet statutorily imposed deadlines.

20 7. The American Delta Party did not submit a certificate of nomination.

21 I swear under penalty of perjury under the laws of the state of Washington and the United
 22 States that the foregoing is true and correct and of my own knowledge, and that I executed this
 23 declaration at Olympia, Washington, on September 4th, 2020.

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 LORLAUGINO, DIRECTOR OF ELECTIONS
 OFFICE OF SECRETARY OF STATE

CERTIFICATE OF SERVICE

I hereby certify, under penalty of perjury, that I electronically filed a true and correct copy of the foregoing document with the Clerk of the Court of the Western District of Washington by using the appellate CM/ECF system.

I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the appellate CM/ECF system.

DATED this 4th day of September, at Olympia, Washington.

s/Leena Vanderwood
LEENA VANDERWOOD
Legal Assistant